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REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-18 remain pending. Claims 1, 2, 3, 4, and 5 are independent.

ALLOWABLE SUBJECT MATTER

Applicant appreciates that the Examiner has indicated claims 8, 15, and 16 define allowable subject matter.

§ 102 REJECTION - NAKAGAWA

Claims 1-5 and 9 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Nakazawa, et al. (USP 6,331,903, hereinafter "Nakazawa"). Applicant respectfully traverses.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. See *M.P.E.P.* 2131; *M.P.E.P.* 706.02. Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Nakazawa fails to teach or suggest each and every claimed element. For example, independent claim 1 recites, in part, "wherein the steps of obtaining the image data,

replaying the image data, receiving the output instruction, generating the order information, displaying on the display medium all image data output, and certifying the order are carried out in the digital camera." Independent claims 2-5 recite a similar feature. Nakazawa cannot be relied upon to teach or suggest at least this feature.

Nakazawa is directed to a print ordering system or apparatus for an APS film camera. Print ordering operation for the APS film can be performed only after the film is developed. For example, as shown in Figure 1 of Nakazawa, the print order apparatus includes a negative scanner 100 which reads images from the film cartridge 110 containing the negatives. The order information recording/transmitting device 230 is used to generate the print order. It is important to note that the ordering of the prints is performed completely outside of the camera that took the original pictures. Simply put, the camera itself is not involved in generating, confirming, and certifying the print order.

This is in complete contrast to the claims where the operations to generate, confirm, and certify print order are performed by the digital camera. Therefore, Nakazawa cannot be

relied upon to teach or suggest the at least above noted features of the independent claims. Therefore, independent claims 1, 2, 3, 4, and 5 are distinguishable over Nakazawa.

Claim 9 depends from independent claim 5. Therefore, for at least the reasons stated with respect to independent claim 5 as well as on its own merit, claim 9 is distinguishable over Nakazawa.

Applicant respectfully requests that the rejection of claims 1-5 and 9 based on Nakazawa, be withdrawn.

§ 103 REJECTION - NAKAZAWA, ALLEN

Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakazawa in view of Allen, et al. (USP 5,737,491, hereinafter "Allen"). Applicant respectfully traverses.

It has been shown above that independent claim 5 is distinguishable over Nakazawa. Allen has not been, and indeed cannot be, relied upon to correct for at least the above noted deficiencies of Nakazawa. Therefore, claim 5 is also distinguishable over the combination of Nakazawa and Allen.

Claims 6 and 7 depend from independent claim 5. Therefore, for at least the reasons stated with respect to independent claim 5, claims 6 and 7 are also distinguishable over the combination of Nakazawa and Allen.

In addition, Nakazawa and Allen teach away from each other. For example, Allen fails to disclose the confirmed order information. In Allen, when an image is deleted, the order information corresponding to the deleted image is also deleted. Allen is silent regarding updating the order information.

In contrast, Nakazawa is directed to a film camera in which images are recorded on a film and the images **cannot** be deleted. Clearly, Allen and Nakazawa are incompatible and teach away from each other.

For at least the above stated reasons, claims 6 and 7 are distinguishable over the combination of Nakazawa and Allen. Applicant respectfully requests that the rejection of claims 6 and 7 based on Nakazawa and Allen, be withdrawn.

§ 103 REJECTION - NAKAZAWA, WALKER

Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakazawa in view of Walker, et

al. (USP 6,381,582, hereinafter "Walker"). Applicant respectfully traverses.

It has been shown above that independent claim 5 is distinguishable over Nakazawa. Walker has not been, and indeed cannot be, relied upon to correct for at least the above noted deficiencies of Nakazawa. Therefore, claim 5 is also distinguishable over the combination of Nakazawa and Walker. Claims 10-12 depend from independent claim 5. Therefore, for at least the reasons stated with respect to independent claim 5 as well as on their own merit, claims 10-12 are distinguishable over the combination of Nakazawa and Walker.

Applicant respectfully requests that the rejection of claims 10-12 based on Nakazawa and Walker, be withdrawn.

§ 103 REJECTION - NAKAZAWA, SLOTZNICK

Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakazawa in view of Slotznick (USP 5,983,200, hereinafter "Slotznick"). Applicant respectfully traverses.

It has been shown above that independent claim 5 is distinguishable over Nakazawa. Slotznick has not been, and

indeed cannot be, relied upon to correct for at least the above noted deficiencies of Nakazawa. Therefore, claim 5 is also distinguishable over the combination of Nakazawa and Slotznick.

Claims 13 and 14 depend from independent claim 5. Therefore, for at least the reasons stated with respect to independent claim 5 as well as on their own merit, claims 13 and 14 are distinguishable over the combination of Nakazawa and Slotznick.

Applicant respectfully requests that the rejection of claims 13 and 14 based on Nakazawa and Slotznick, be withdrawn.

§ 103 REJECTION - NAKAZAWA, PARULSKI, WATANABE

Claims 17 and 18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakazawa in view of Parulski, et al. (USP 5,440,343, hereinafter "Parulski"), and in further view of Watanabe (USP 6,529,236, hereinafter "Watanabe"). Applicant respectfully traverses.

It has been shown above that independent claim 5 is distinguishable over Nakazawa. Neither Parulski nor Watanabe has not been, and indeed cannot be, relied upon to correct for at least the above noted deficiencies of Nakazawa. Therefore, claim

5 is also distinguishable over the combination of Nakazawa, Parulski, and Watanabe.

Claims 17 and 18 depend from independent claim 5. Therefore, for at least the reasons stated with respect to independent claim 5 as well as on their own merit, claims 17 and 18 are distinguishable over the combination of Nakazawa, Parulski, and Watanabe.

Applicant respectfully requests that the rejection of claims 17 and 18 based on Nakazawa, Parulski, and Watanabe, be withdrawn.

CONCLUSION

All objections and rejections raised in the Final Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month

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extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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